

Article - Criminal Law

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§9–405.

(a) (1) A person who has been lawfully arrested may not knowingly depart from custody without the authorization of a law enforcement or judicial officer.

(2) A person may not knowingly fail to obey a court order to report to a place of confinement.

(3) A person may not escape from:

(i) except as otherwise punishable under § 9–404(b) of this subtitle, a detention center for juveniles or a facility for juveniles listed in § 9–226(b) of the Human Services Article;

(ii) a place identified in a home detention order or agreement;

(iii) a place identified in a juvenile community detention order;
or

(iv) a privately operated, hardware secure facility for juveniles committed to the Department of Juvenile Services.

(b) (1) This subsection applies to a person who is:

(i) temporarily released from a place of confinement;

(ii) committed to a pretrial agency;

(iii) committed to home detention by:

1. the court; or

2. the Division of Correction under Title 3, Subtitle 4 of the Correctional Services Article;

(iv) committed to a home detention program administered by a county;

(v) committed to a private home detention monitoring agency as defined in § 20–101 of the Business Occupations and Professions Article; or

(vi) ordered by a court to serve a term of custodial confinement as defined in § 6–219 of the Criminal Procedure Article as a condition of a suspended sentence or probation before or after judgment.

(2) A person may not knowingly:

(i) violate any restriction on movement imposed under the terms of a temporary release, pretrial commitment, custodial confinement, or home detention order or agreement;

(ii) fail to return to a place of confinement under the terms of a temporary release, pretrial commitment, custodial confinement, or home detention order or agreement; or

(iii) remove, block, deactivate, or otherwise tamper with a monitoring device required to be worn or carried by the person to track the person's location, including an ankle or wrist bracelet, global position satellite offender tracking technology, or comparable equipment or system.

(c) A person who violates this section is guilty of the misdemeanor of escape in the second degree and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both.

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